

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Robert Kwan, Presiding  
Courtroom 1675 Calendar**

**Tuesday, October 11, 2016**

**Hearing Room 1675**

10:30 AM

**2:15-12452 Chul Hyun Gong**

**Chapter 7**

**#1.00** Cont'd hearing re: Motion for relief from stay  
(U.S. Bank National Association VS Debtor)  
fr. 8/9/16, 9/6/16, 9/20/16

**Property: 13457 West White Palms Lane  
Los Angeles, CA 91342**

Docket 262

**Tentative Ruling:**

Updated tentative ruling as of 10/7/16. Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Grant request for stay annulment. The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See *In re Dorsey*, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

Prior tentative ruling as of 9/19/16. Appearances are required on 9/20/16, but counsel may appear by telephone.

No updated tentative ruling as of 9/2/16. Appearances are required on

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**CONT... Chul Hyun Gong**

**Chapter 7**

9/6/16, but counsel may appear by telephone.

Prior tentative ruling. The moving papers are deficient in that there is insufficient showing that there was an unconsented to transfer of the subject real property for purposes of 11 U.S.C. 362(d)(4) as the copy of the purported transfer deed was incomplete, lacking the legal description of the property involved, so the court cannot tell if the deed relates to the subject property. Appearances are required on 8/9/16, but counsel may appear by telephone.

<b>Party Information</b>
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**Debtor(s):**

Chul Hyun Gong

Pro Se

**Movant(s):**

U.S. Bank National Association, as

Represented By  
Merdaud Jafarnia  
Gilbert R Yabes

**Trustee(s):**

Wesley H Avery (TR)

Represented By  
Jeffrey L Sumpter

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**2:15-12452 Chul Hyun Gong**

**Chapter 7**

**#2.00** Hearing re: Motion for relief from stay  
(U.S. Bank National Association VS Debtor)

**Property: 818 East Acacia Avenue, #C  
Glendale, CA 91205**

Docket 336

**Tentative Ruling:**

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (4) to pursue non-bankruptcy remedies and for in rem relief for the reasons stated in the moving papers and for lack of timely written opposition. Grant request for stay annulment. The 14-day waiting period under FRBP 4001(a)(3) is waived.

The court does not make a finding of bad faith as to debtor. See In re Dorsey, 476 B.R. 261 (Bankr. C.D. Cal. 2012).

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

<b>Party Information</b>
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**Debtor(s):**

Chul Hyun Gong

Pro Se

**Movant(s):**

U.S. Bank National Association,

Represented By  
Brandye N Foreman

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**CONT... Chul Hyun Gong**

**Chapter 7**

**Trustee(s):**

Wesley H Avery (TR)

Represented By  
Jeffrey L Sumpter

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**2:16-11161 Stephon Anthony Carradine**

**Chapter 7**

**#3.00** Hearing re: Motion for relief from stay  
(Wells Fargo Bank N.A. VS Debtor)

Docket 19

**Tentative Ruling:**

Grant movant relief from stay pursuant to 11 U.S.C. 362(d)(1) and (2) to pursue non-bankruptcy remedies for the reasons stated in the moving papers and for lack of timely written opposition. Deny request for extraordinary relief in paragraph 5 since in this Chapter 7 bankruptcy case there is no codebtor stay under 11 U.S.C. 1201(a) or 1301(a). Grant relief for extraordinary relief in paragraph 11 regarding California Civil Code 2923.5. The 14-day waiting period under FRBP 4001(a)(3) is waived.

Movant must lodge a proposed order within 7 days. All registered CM/ECF users must lodge an order using the court's mandatory form order on LOU.

Movant may submit on the tentative ruling without an appearance at the hearing, in accordance with Judge Kwan's tentative ruling procedures posted online on the court's website and in hard copy available in the courtroom.

<b>Party Information</b>
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**Debtor(s):**

Stephon Anthony Carradine

Represented By  
Brad Weil

**Trustee(s):**

Richard K Diamond (TR)

Pro Se

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**2:12-30028 MEHRDAD TAHERIPOUR**

**Chapter 7**

Adv#: 2:13-01443 Gill v. Nexgen Energy Holdings PCC

**#4.00** Cont'd status conference re: Trustee's complaint to avoid and recover for fraudulent transfer; and for preliminary injunctions fr. 11/25/14, 12/2/14, 6/21/16, 9/6/16

Docket 1

**Tentative Ruling:**

Updated tentative ruling as of 10/7/16. The parties in their joint status report indicated that they had an interest in mediation. Perhaps the parties can consider and discuss the possibility to refer the matter first to mediation before proceeding with full-blown litigation of the remaining claims. Appearances are required on 10/11/16, but counsel may appear by telephone.

Prior tentative ruling as of 9/2/16. The court has reviewed the joint status report. No tentative ruling on the merits. Appearances are required on 9/6/16 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 6/20/16. The court has reviewed the joint status report of some of the parties appearing in this matter, including the attached statement of the Burris Parties, as well as the separate status statement of Eric Herrera.

The court also notes the parties used an obsolete version of the Joint Status Report form from December 2012, and in the future, the parties should use the current version of the form adopted in December 2015. The new joint status report form solicits the parties' positions as to whether they consent to the bankruptcy court's determination of noncore claims in light of Stern v. Marshall, 131 S.Ct. 2594 (2011), Executive Benefits Insurance Agency v. Arkison, 134 S.Ct. 2165 (2014) and Wellness International Network, Ltd. v. Sharif, 135 S.Ct. 1932 (2015). If consent of all parties is given, the bankruptcy court will enter a final judgment, but if consent of all parties is not given, then the court will issue proposed findings of fact and conclusions of

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**CONT... MEHRDAD TAHERIPOUR**

**Chapter 7**

law for de novo review by the district court. Id.

Appearances are required on 6/21/16, but counsel may appear by telephone.

Prior tentative ruling as of 12/8/2014. Off calendar. The court has issued an order vacating the hearings and taking the matters under submission.

Revised tentative ruling as of 12/2/14. Off calendar. The court continues the status conference on its motion to 12/9/14 at 2:00 p.m. due to congestion on the court's calendar, its continuing deliberation on the various dismissal motions. and the inclement weather today. No appearances are required on 12/2/14.

Prior tentative ruling as of 12/1/14. No tentative ruling. Appearances are required on 12/2/14. Counsel may appear telephonically.

Prior tentative ruling as of 11/24/14. Off calendar. The status conference is continued on the court's own motion to 12/2/14 at 3:30 p.m. in light of the continuances of the pending motions to dismiss. No appearances are required on 11/25/14.

Tentative ruling as of 11/17/14. Off calendar, continued to 11/25/14 at 3:30 p.m. by order entered 11/17/14. Appearances are not required on 11/18/14.

Updated tentative ruling as of 8/25/14. Off calendar. The court on its own motion continues the status conference to 9/23/14 at 2:30 p.m. to be conducted with the hearings on the defendants' motions to dismiss the third amended complaint. No appearances are required on 8/26/14

Prior tentative ruling as of 7/28/14. Off calendar. The court has reviewed the appearing parties' status report and continues the status conference to 8/26/14 at 1:30 p.m. in light of the dismissal of the second amended complaint and the time for filing and serving a third amended complaint has not expired. No appearances are required on 7/29/14

Prior tentative ruling as of 6/2/14. Off calendar. The court has reviewed the appearing parties' status report and continues the status conference to

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**Chapter 7**

7/29/14 at 1:30 p.m. in light of the pending motions of several defendants to dismiss to be heard on 6/17/14 and 7/8/14 and in light of plaintiff's continuing efforts to effect service of process on other defendants. No appearances are required on 6/3/14

Prior tentative ruling as of 1/13/14. Off calendar. To be heard at 3:00 p.m. calendar with plaintiff's motion to file amended complaint. Appearances are required on 3:00 p.m. calendar, not at 1:30 p.m..

No updated tentative ruling as of 11/25/13. Appearances are required on 11/26/13, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed the joint status report. Appearances are required on 10/15/13 to discuss scheduling and the status of mediation since the parties do not agree. Since the parties intend to bring cross-motions for summary judgment, the court request the parties to discuss and consider trying the case on stipulated facts in lieu of cross-motions for summary judgment.

Prior tentative ruling The court has reviewed the joint status report. Appearances are required on 6/11/13 to discuss scheduling and mediation since the parties do not agree.

<b>Party Information</b>
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**Debtor(s):**

MEHRDAD TAHERIPOUR

Represented By  
Alan F Broidy

**Defendant(s):**

Nexgen Energy Holdings PCC

Pro Se

**Plaintiff(s):**

DAVID Gill

Represented By  
Nathan D Meyer

**Trustee(s):**

David A Gill (TR)

Represented By



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**CONT... MEHRDAD TAHERIPOUR**

**Chapter 7**

David A Gill (TR)

David A Gill (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (LA)

Pro Se

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**2:13-26021 L Scott Apparel Inc.**

**Chapter 11**

Adv#: 2:15-01585 Grobstein, Liquidating Trustee v. Design Collection, Inc

**#5.00** Cont'd status conference re: Complaint for avoidance and recovery of preferential transfer (11 U.S.C. §§547 and 550) fr. 1/12/16, 3/29/16, 8/24/16

Docket 1

**Tentative Ruling:**

Updated tentative ruling as of 10/11/16. Off calendar. The court has reviewed the joint status report filed on 10/10/16 requesting a 45-day continuance of the status conference in light of the conditional settlement after mediation on 9/27/16, and the court on its own motion continues the status conference to 12/6/16 at 1:30 p.m. Counsel for trustee to give email or telephonic notice to other counsel of the continuance. No appearances are required on 10/11/16.

Prior tentative ruling as of 8/22/16. Off calendar. The court has reviewed the joint status report requesting a continuance of the status conference to after the scheduled mediation on 9/27/16, and the court on its own motion by separate order continues the status conference to 10/11/16 at 1:30 p.m. Although the order continuing the status conference states that a status report is due on 9/27/16, the parties may submit the status conference by 10/4/16 to report on the status of the mediation scheduled for 9/27/16. No appearances are required on 8/24/16.

Prior tentative ruling as of 3/28/16. The court has reviewed the joint status report requesting a 30 day continuance for settlement discussions. The court declines this request because it had already granted a 60-day continuance of the status conference for settlement discussions, and will now set a pretrial schedule, including a discovery completion date of 8/1/16, a post-discovery status conference on 8/24/16 at 1:30 p.m. with a joint status report due on 8/17/16, and referral of the matter to mediation with a deadline for filing a request for selection of mediator and alternate by 4/30/16. Appearances are required on 3/29/16, but counsel may appear by telephone. Plaintiff to submit a proposed scheduling order within 7 days of hearing.

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**CONT... L Scott Apparel Inc.**

**Chapter 11**

Prior tentative ruling as of 1/12/16. Off calendar. The court has reviewed plaintiff's unilateral status report, requesting a continuance of the status conference, pending settlement negotiations with defendant, which has not yet appeared in this adversary proceeding, and accordingly, the court on its own motion continues the status conference to 3/29/16 at 1:30 p.m. No appearances are required on 1/12/16.

<b>Party Information</b>
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**Debtor(s):**

L Scott Apparel Inc.

Represented By  
David W Levene  
Kurt Ramlo  
Paul J Kurtzhall

**Defendant(s):**

Design Collection, Inc

Represented By  
Nico N Tabibi

**Plaintiff(s):**

Howard Grobstein, Liquidating

Represented By  
Lori L Werderitch  
Brian L Davidoff

**U.S. Trustee(s):**

United States Trustee (LA)

Pro Se

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**2:13-28497 Corona Care Convalescent Corporation**

**Chapter 7**

Adv#: 2:16-01101 Diamond, Chapter 7 Trustee, Plaintiff v. Vital Health Supply

**#6.00** Cont'd status conference re: Complaint for (1) to Avoid and Recover Fraudulent or Avoidable Transfers; (2) for Imposition of Constructive Trust; (3) for Unjust Enrichment; (4) for Turnover; and (5) to Disallow Claims fr. 5/3/16, 9/13/16

Docket 1

**Tentative Ruling:**

Updated tentative ruling as of 10/7/16. The court has reviewed the trustee's status report again stating that a motion for default judgment will be filed at the time of the status conference. No tentative ruling on the merits. Appearances are required on 10/11/16 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 9/12/16. The court has reviewed the trustee's status report stating that a motion for default judgment will be filed at the time of the status conference. No tentative ruling on the merits. Appearances are required on 9/13/16 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report advising that entry of default has been entered against defendant and that plaintiff will be filing a motion for default judgment. The court on its own motion continues the status conference to 9/13/16 at 1:30 p.m. to allow some time for plaintiff to prepare and file a motion for default judgment. Appearances are optional on 5/3/16, but counsel may appear by telephone.

<b>Party Information</b>
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**Debtor(s):**

Corona Care Convalescent

Represented By  
M Jonathan Hayes  
Michael Jay Berger

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**CONT... Corona Care Convalescent Corporation**

**Chapter 7**

**Defendant(s):**

Vital Health Supply

Pro Se

**Plaintiff(s):**

Richard K. Diamond, Chapter 7

Represented By  
Walter K Oetzell

**Trustee(s):**

Richard K Diamond (TR)

Represented By  
Steven J Schwartz  
Howard Kollitz  
Walter K Oetzell

Richard K Diamond (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (LA)

Pro Se

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**2:13-28497 Corona Care Convalescent Corporation**

**Chapter 7**

Adv#: 2:16-01098 Diamond, Chapter 7 Trustee, Plaintiff v. Tan

**#7.00** Cont'd status conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) to Avoid and Recover Fraudulent or Avoidable Transfers; (3) for Imposition of Constructive Trust; (4) for Unjust Enrichment; (5) for Turnover; and (6) to Disallow Claims  
fr. 5/3/16, 9/13/16

Docket 1

**Tentative Ruling:**

Updated tentative ruling as of 10/7/16. The court has reviewed the trustee's status report again stating that a motion for default judgment will be filed at the time of the status conference. No tentative ruling on the merits. Appearances are required on 10/11/16 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 9/12/16. The court has reviewed the trustee's status report stating that a motion for default judgment will be filed at the time of the status conference. No tentative ruling on the merits. Appearances are required on 9/13/16 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report advising that entry of default has been entered against defendant and that plaintiff will be filing a motion for default judgment. The court on its own motion continues the status conference to 9/13/16 at 1:30 p.m. to allow some time for plaintiff to prepare and file a motion for default judgment. Appearances are optional on 5/3/16, but counsel may appear by telephone.

<b>Party Information</b>
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**Debtor(s):**

Corona Care Convalescent

Represented By  
M Jonathan Hayes  
Michael Jay Berger

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**CONT... Corona Care Convalescent Corporation**

**Chapter 7**

**Defendant(s):**

Mishelle O. Tan

Pro Se

**Plaintiff(s):**

Richard K. Diamond, Chapter 7

Represented By  
Walter K Oetzell

**Trustee(s):**

Richard K Diamond (TR)

Represented By  
Steven J Schwartz  
Howard Kollitz  
Walter K Oetzell

Richard K Diamond (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (LA)

Pro Se

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**2:13-28497 Corona Care Convalescent Corporation**

**Chapter 7**

Adv#: 2:16-01092 Diamond, Chapter 7 Trustee, Plaintiff v. Precision Medical Equipment

**#8.00** Cont'd status conference re: Complaint for (1) to Avoid and Recover Preferential Transfers; (2) to Avoid and Recover Fraudulent or Avoidable Transfers; (3) for Imposition of Constructive Trust; (4) for Unjust Enrichment; (5) for Turnover; and (6) to Disallow Claims  
fr. 5/3/16, 9/13/16

Docket 1

**Tentative Ruling:**

Updated tentative ruling as of 10/7/16. The court has reviewed the trustee's status report again stating that a motion for default judgment will be filed at the time of the status conference. No tentative ruling on the merits. Appearances are required on 10/11/16 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling as of 9/12/16. The court has reviewed the trustee's status report stating that a motion for default judgment will be filed at the time of the status conference. No tentative ruling on the merits. Appearances are required on 9/13/16 to discuss scheduling of further proceedings, but counsel may appear by telephone.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status report advising that entry of default has been entered against defendant and that plaintiff will be filing a motion for default judgment. The court on its own motion continues the status conference to 9/13/16 at 1:30 p.m. to allow some time for plaintiff to prepare and file a motion for default judgment. Appearances are optional on 5/3/16, but counsel may appear by telephone.

<b>Party Information</b>
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**Debtor(s):**

Corona Care Convalescent

Represented By  
M Jonathan Hayes  
Michael Jay Berger



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**CONT... Corona Care Convalescent Corporation**

## Chapter 7

**Defendant(s):**

## Precision Medical Equipment

Pro Se

**Plaintiff(s):**

Richard K. Diamond, Chapter 7

Represented By  
Zev Shechtman

**Trustee(s):**

Richard K Diamond (TR)

Represented By  
Steven J Schwartz  
Howard Kollitz  
Walter K Oetzell

Richard K Diamond (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (LA)

Pro Se

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**2:15-22018 Catalino Castillo**

**Chapter 7**

Adv#: 2:15-01490 SCE Federal Credit Union

**#9.00** Cont'd hearing re: Motion to vacate default judgment and entry of default  
fr. 8/16/16

Docket 28

**\*\*\* VACATED \*\*\* REASON: Granted per order entered on 8/17/16-mb.**

**Tentative Ruling:**

Updated tentative ruling as of 10/7/16. Off calendar. Motion granted per order entered on 8/17/16. No appearances are required on 10/11/16.

Prior tentative ruling. Grant motion to set aside default judgment for the reasons stated in the moving papers and for lack of timely written opposition. Movant has made a prima facie showing in his papers that he did not engage in culpable conduct leading to the default based on his prior counsel's failure to keep him informed about the litigation and to represent his interests adequately, that he has a meritorious defense that he lacked an intent to deceive or defraud plaintiff because he used the funds for normal, everyday living expenses and that there is no prejudice to plaintiff if the default judgment is reopened as indicated by the absence of any opposition to the motion. United States v. Aguilar, 782 F.3d 1101, 1105 (9th Cir. 2015)(citation omitted). Appearances are required on 8/16/16, but counsel may appear by telephone.

<b>Party Information</b>
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**Debtor(s):**

Catalino Castillo

Represented By  
Sevag Nigoghosian

**Plaintiff(s):**

SCE Federal Credit Union

Represented By  
Bruce P. Needleman

**Trustee(s):**

Edward M Wolkowitz (TR)

Pro Se

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1:30 PM

**2:15-22018 Catalino Castillo**

**Chapter 7**

Adv#: 2:15-01490 SCE Federal Credit Union v. Castillo

**#10.00** Cont'd status conference re: Complaint for determination of nondischargeability of debt (11 U.S.C. §523(a)(2)(A) &(C)) fr. 11/10/15, 1/26/16, 3/22/16, 5/31/16

Docket 1

**Tentative Ruling:**

Updated tentative ruling as of 10/7/16. Off calendar. The court has reviewed the joint status report stating that the parties are engaged in settlement discussions to resolve the matter within the next 2-3 weeks or to proceed with litigation. The court on its own motion continues the status conference to 11/8/16 at 1:30 p.m. in light of the pending settlement discussions. The parties may report orally at the continued status conference on 11/8/16 without having to file an updated written status report. No appearances are required on 10/11/16.

Prior tentative ruling as of 5/27/16. Off calendar. Default judgment entered on 5/11/16. No appearances are necessary.

Prior tentative ruling as of 3/21/16. Off calendar. The court has reviewed plaintiff's unilateral status report advising that the parties are negotiating a settlement and wants additional time to resolve the matter consensually, and the court continues the status conference on its own motion to 5/31/16 at 1:30 p.m. in order to allow further time for settlement negotiations. No appearances are required on 3/22/16.

Prior tentative ruling as of 1/25/16. Off calendar. The court on its own motion continues the status conference to 3/22/16 at 1:30 p.m. to allow time for plaintiff to submit a declaration of non-opposition on its pending motion for default judgment pursuant to LBR 9013-1(o)(3)(A). No appearances are required on 1/26/16.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status

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**Catalino Castillo**

**Chapter 7**

report and continues the status conference to 1/26/16 at 1:30 p.m. in light of counsel's representation that the parties are negotiating a settlement. Counsel for plaintiff to give notice of continuance to counsel for defendant by email or telephone. No appearances are required on 11/10/15.

<b>Party Information</b>
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**Debtor(s):**

Catalino Castillo

Represented By  
Sevag Nigoghosian

**Defendant(s):**

Catalino Castillo

Pro Se

**Plaintiff(s):**

SCE Federal Credit Union

Represented By  
Bruce P. Needleman

**Trustee(s):**

Edward M Wolkowitz (TR)

Pro Se

Edward M Wolkowitz (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (LA)

Pro Se

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**2:13-15390 True Floors Inc**

**Chapter 7**

Adv#: 2:15-01470 Leslie v. CCA Global Partners, Inc., a Delaware corporation

**#11.00** Cont'd pretrial conference re: Complaint for turnover of estate property  
fr. 11/3/15, 4/12/16

Docket 1

**\*\*\* VACATED \*\*\* REASON: Cont'd from 10/11/16 to 1/10/17 at 2:00  
p.m. by stip & order entered on 9/28/16-mb.**

**Tentative Ruling:**

Updated tentative ruling as of 10/7/16. Off calendar. Continued by stipulation and order to 1/10/17 at 2:00 p.m. No appearances are required on 10/11/16.

Prior tentative ruling. Set discovery completion date of 3/1/16 and a pretrial conference for 4/12/16 at 2:00 p.m. Parties are ordered to submit a joint pretrial stipulation as required by LBR 7016-1. Plaintiff to submit a proposed scheduling order within 7 days of hearing. Appearances are required on 11/3/15, but counsel may appear by telephone.

<b>Party Information</b>
--------------------------

**Debtor(s):**

True Floors Inc

Represented By  
Jeffrey N Wishman

**Defendant(s):**

CCA Global Partners, Inc., a

Pro Se

**Plaintiff(s):**

Sam S. Leslie

Represented By  
Reagan E Boyce

**Trustee(s):**

Sam S Leslie (TR)

Pro Se

Sam S Leslie (TR)

Represented By  
David Seror

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Robert Kwan, Presiding  
Courtroom 1675 Calendar**

**Tuesday, October 11, 2016**

**Hearing Room 1675**

2:00 PM

**CONT... True Floors Inc**

**Chapter 7**

**U.S. Trustee(s):**

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Robert Kwan, Presiding  
Courtroom 1675 Calendar**

**Tuesday, October 11, 2016**

**Hearing Room 1675**

2:00 PM

**2:13-26987 Sang Soo Kim**

**Chapter 7**

Adv#: 2:13-01827      Ree v. Kim

**#12.00**      Cont'd pretrial conference re: Complaint to determine non-dischargeability of debts  
(11 U.S.C. §727(a)(2), (3), (4), (7); 11 U.S.C. §727(c), (d), (e);  
11 U.S.C. §523(a)(2), (4), (6))  
fr. 6/16/15, 7/28/15, 1/12/16, 3/1/16, 5/31/16

Docket      1

**Tentative Ruling:**

Updated tentative ruling as of 10/7/16. Off calendar. Matter settled by stipulation and order entered on 10/5/16. No appearances are required on 10/11/16.

Prior tentative ruling as of 5/27/16. No tentative ruling on the merits. Appearances are required on 5/31/16.

Prior tentative ruling as of 1/11/16. The parties have not filed a joint pretrial stipulation for the final pretrial conference as required by Local Bankruptcy Rule 7016-1, which was due on 12/18/15. The court is considering whether to impose sanctions of \$250 each against plaintiff and counsel for defendant for failure to timely file a joint pretrial stipulation. Appearances are required on 1/12/16.

Prior tentative ruling as of 6/15/15. The parties have not filed a joint pretrial stipulation for the final pretrial conference as required by Local Bankruptcy Rule 7016-1, which was due on 6/1/15. The court is considering whether to impose sanctions of \$250 each against plaintiff and counsel for defendant for failure to timely file a joint pretrial stipulation. Appearances are required on 6/16/15.

Revised tentative ruling as of 3/24/14. The court has reviewed the parties' late joint status report filed on 3/20/14. No tentative ruling on the merits. Appearances are required on 3/25/14 to discuss scheduling, but counsel may appear by telephone.

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Robert Kwan, Presiding  
Courtroom 1675 Calendar**

**Tuesday, October 11, 2016**

**Hearing Room 1675**

2:00 PM

**CONT...**

**Sang Soo Kim**

**Chapter 7**

Prior tentative ruling as of 3/24/14. Because no joint status report was filed by the deadline of 3/18/14, the court intends to impose monetary sanctions of \$100 against each party or counsel who failed to cooperate in preparing and filing a joint status report due on 3/18/14 pursuant to the court's order of 2/26/14. No tentative ruling on the merits of the case. Appearances are required on 3/25/14.

Updated tentative ruling as of 2/10/14. No tentative ruling. Appearances are required on 2/11/14.

Prior tentative ruling as of 1/27/14 at 2:05 p.m. Off calendar. The court continues the status conference on its own motion to 2/11/14 at 3:00 p.m. to be conducted with the hearing on the motion to dismiss first amended complaint per the notice of continued hearing filed on 1/8/14. No appearances are required on 1/28/14.

Updated tentative ruling as of 1/27/14. Off calendar. The court continues the status conference on its own motion to 2/4/14 at 3:00 p.m. to be conducted with the hearing on the motion to dismiss first amended complaint. No appearances are required on 1/28/14.

Prior tentative ruling as of 12/16/13. Appearances are required on 12/17/13 to discuss why sanctions should not be imposed against the parties for failure to file a timely joint status report and against plaintiff for not filing a timely amended complaint. Appearances are required on 12/17/13.

Prior tentative ruling. Off calendar. The court continues the status conference on its own motion to 12/17/13 at 1:30 p.m. Counsel for defendant is ordered to give written notice of continuance. No appearances are required on 10/15/13.

<b>Party Information</b>
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**Debtor(s):**

Sang Soo Kim

Represented By  
Miyun Lim



**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Robert Kwan, Presiding  
Courtroom 1675 Calendar**

**Tuesday, October 11, 2016**

**Hearing Room 1675**

2:00 PM

**CONT... Sang Soo Kim**

**Chapter 7**

**Defendant(s):**

Sang Soo Kim

Pro Se

**Plaintiff(s):**

Jin Ree

Pro Se

**Trustee(s):**

Jason M Rund (TR)

Pro Se

Jason M Rund (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Robert Kwan, Presiding  
Courtroom 1675 Calendar**

**Tuesday, October 11, 2016**

**Hearing Room 1675**

2:30 PM

**2:11-53420 Robin Washington Hamilton**

**Chapter 7**

**#13.00** Hearing re: Motion to reopen chapter 7 case

Docket 14

**\*\*\* VACATED \*\*\* REASON: Granted per order entered 10/7/16-mb.**

**Tentative Ruling:**

Off calendar. The court will take the matter under submission on the papers and will issue an order. No appearances are required on 10/11/16.

<b>Party Information</b>
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**Debtor(s):**

Robin Washington Hamilton

Represented By  
Joseph L Pittera

**Trustee(s):**

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Robert Kwan, Presiding  
Courtroom 1675 Calendar**

**Tuesday, October 11, 2016**

**Hearing Room 1675**

2:30 PM

**2:14-29821 Maximillian Palma Casal and Delsa Fortich Casal**

**Chapter 7**

**#14.00** Hearing re: Trustee's final report and account;  
Application for fees and expenses  
[Howard M. Ehrenberg, Chapter 7 Trustee]

Docket 65

**Tentative Ruling:**

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 10/11/16, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

<b>Party Information</b>
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**Debtor(s):**

Maximillian Palma Casal

Represented By  
Jeremy Faith

**Joint Debtor(s):**

Delsa Fortich Casal

Represented By  
Jeremy Faith

**Trustee(s):**

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Robert Kwan, Presiding  
Courtroom 1675 Calendar**

**Tuesday, October 11, 2016**

**Hearing Room 1675**

2:30 PM

**2:15-24251 Linda S Crockom**

**Chapter 7**

**#15.00** Hearing re: Trustee's final report and account;  
Application for fees and expenses  
[Elissa D. Miller, Chapter 7 Trustee]

Docket 34

**Tentative Ruling:**

Approve final report and fee application of trustee for reasons stated in the final report and for lack of timely written objection. Appearances are optional on 10/11/16, but trustee and counsel may appear by telephone. Trustee to submit a proposed order within 7 days of hearing.

<b>Party Information</b>
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**Debtor(s):**

Linda S Crockom

Represented By  
Brian C Miles

**Trustee(s):**

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Robert Kwan, Presiding  
Courtroom 1675 Calendar**

**Tuesday, October 11, 2016**

**Hearing Room 1675**

2:30 PM

**2:16-15784 Helen Fung**

**Chapter 7**

**#16.00** Hearing re: Debtor's request for voluntary dismissal of this case

Docket 68

**\*\*\* VACATED \*\*\* REASON: Case dismissed for failure to appear at 341  
(a) meeting of creditors per order entered on 10/6/16-mb.**

**Tentative Ruling:**

Off calendar. The court has entered an order dismissing the case for failure of debtor to appear at the continued meeting of creditors under 11 U.S.C. 341 (a). No appearances are required on 10/11/16.

<b>Party Information</b>
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**Debtor(s):**

Helen Fung

Pro Se

**Trustee(s):**

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Robert Kwan, Presiding  
Courtroom 1675 Calendar**

**Tuesday, October 11, 2016**

**Hearing Room 1675**

2:30 PM

**2:16-13630 Paul Killick**

**Chapter 7**

**#16.10** Cont'd hearing re: Debtor's motion for voluntary dismissal of chapter 7 bankruptcy fr. 10/4/16

Docket 26

**Tentative Ruling:**

Updated tentative ruling as of 10/7/16. The court has reviewed the proof of service of the notice of the motion filed on 10/4/16, which does not show that all creditors listed on the creditor mailing matrix in this case have been served, including Los Angeles City Clerk, Employment Development Department, Franchise Tax Board, and RC/RB, Inc., dba Eau Palm Beach Resort & Spa, at its business address in Florida. Thus, it appears that service has not been shown to be adequate. Appearances are required on 10/11/16, but counsel may appear by telephone.

Corrected prior tentative ruling. The notice of motion to voluntarily dismiss the case is deficient since there is no proof of service for the notice of the motion indicating that parties in interest, including all creditors, were served with the notice of motion and motion to voluntarily dismiss the case. Fed. R. Bankr. P 2002(a)(4) and Local Bankruptcy Rules 1017-2(e) and 9013-1.

Deny without prejudice or continued for proper service of notice of motion.

Appearances are required on 10/4/16, but counsel may appear by telephone.

<b>Party Information</b>
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**Debtor(s):**

Paul Killick

Represented By  
Amy L Bingham

**Trustee(s):**

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Robert Kwan, Presiding  
Courtroom 1675 Calendar**

**Tuesday, October 11, 2016**

**Hearing Room 1675**

3:00 PM

**2:12-39920 Grant Walker King**

**Chapter 7**

**#17.00** Hearing re: Motion By Jon Roger Davis For Entry Of An Order (1) Holding That Arbitration Can Proceed Against The Debtor Because The Automatic Stay Under Section 362 Does Not Apply, (2) Holding That The Arbitration Can Proceed Against The Debtor, Because (A) The Claims Asserted By Davis And Vhllc Against The Debtor In The Arbitration Were Not Discharged Or Because The Arbitrator Has Concurrent Jurisdiction To Determine Whether The Claims Were Discharged, Or, Alternatively, (B) Davis Is Excused From Any Obligation To File An Action Determining That The Claims Asserted Against The Debtor In The Arbitration Were Not Discharged Or Are Non-Dischargeable Until The Arbitration Is Concluded By A Final Order, (3) Holding That The Bankruptcy Case Does Not Prevent Parties From Obtaining Testimony Or Discovery From The Debtor, And (4) Setting Status Conference

Docket 35

**Tentative Ruling:**

It appears that both sides in their papers, movant by his motion, and debtor by his opposition, are seeking determinations of dischargeability of debt and related declaratory relief since movant is seeking to immunize himself from any violation of the discharge injunction and debtor is seeking to immunize himself from any liability to movant based on the discharge injunction, but the relief sought by each side require an adversary proceeding under FRBP 7001 (4) and (9), though none of the papers refer to this rule, though this is what debtor is asking for without properly citing the applicable rule. Movant apparently wants the arbitrator to hear his claims on the merits, which may be in effect asking this court to abstain from hearing the claims, but the court does not see how movant can eliminate his exposure for any violation of the discharge injunction without commencing an adversary proceeding for dischargeability of debt and related relief, though this may result in delay of the arbitration proceedings. Thus, deny motion without prejudice. Appearances are required on 10/11/16, but counsel may appear by telephone.

<b>Party Information</b>
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**Debtor(s):**

Grant Walker King

Represented By

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Robert Kwan, Presiding  
Courtroom 1675 Calendar**

**Tuesday, October 11, 2016**

**Hearing Room 1675**

3:00 PM

**CONT... Grant Walker King**

**Chapter 7**

Steven K Brumer  
Howard N Madris  
Ronald N Richards

**Trustee(s):**

Brad D Krasnoff (TR)

Pro Se



**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Robert Kwan, Presiding  
Courtroom 1675 Calendar**

**Tuesday, October 11, 2016**

**Hearing Room 1675**

3:00 PM

**2:16-18410 Vincent Morella**

**Chapter 11**

**#18.00** Hearing re: Motion to dismiss case under 11 U.S.C. §1112(b) as a bad faith filing; or alternatively, to transfer entire case to the United States Bankruptcy Court for The Middle District of Louisiana

Docket 57

**Tentative Ruling:**

Service of the moving papers is deficient since not all creditors have been served pursuant to FRBP 2002(a)(4) and 9013 as indicated by the proof of service and the creditors mailing matrix and the moving papers will have to be reserved and renoticed for hearing. Treat as contested matter under FRBP 9014 because it appears to the court that there are disputed factual issues that may require an evidentiary hearing. The parties should be prepared to discuss their discovery and other pretrial needs. Appearances are required on 10/11/16, but counsel may appear by telephone.

<b>Party Information</b>
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**Debtor(s):**

Vincent Morella

Represented By  
Paul M Brent

**Movant(s):**

Business First Bank

Represented By  
Gary D Fidler